

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

FILED
MAY 17 2022
U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401

UNITED STATES OF AMERICA,

v.

DANIEL KION GARRISON,
ROBERT ALAN BLAUCH,
MARCUS DELON WHATLEY,
TAYLOR DAWN MARLOW, and
JAMAL DASHAWN HARRIS,

Defendants.

Criminal No. 3:22CR36

Violations: 18 U.S.C. § 2
18 U.S.C. § 371
18 U.S.C. § 922(a)(6)
18 U.S.C. § 922(d)(1)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(g)(3)
18 U.S.C. § 924(a)(2)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy)

1. From on or about May 1, 2021 to September 15, 2021, in Berkeley County in the Northern District of West Virginia and elsewhere, the defendants **DANIEL KION GARRISON, ROBERT ALAN BLAUCH, MARCUS DELON WHATLEY, and TAYLOR DAWN MARLOW**, unlawfully, knowingly and willfully did combine, conspire, confederate and agree together and with others to commit an offense against the United States, to wit, to purchase, possess, and transfer firearms to a prohibited person, all in violation of the Gun Control Act, Title 18 United States Code, Sections 922(a), 922(g), and 924(a).

MANNER & MEANS

2. It was a part of the conspiracy that defendant **TAYLOR DAWN MARLOW** would purchase a firearm from Federal Firearms Licensees (“FFLs”) in Berkeley County, West Virginia.

3. Defendant **DANIEL KION GARRISON** requested **TAYLOR DAWN MARLOW** to purchase the firearm.

4. Defendant **TAYLOR DAWN MARLOW** purchased the firearm and completed the ATF Form 4473 averring that she was the actual purchaser of the firearm.

5. After defendant **TAYLOR DAWN MARLOW** purchased and acquired the firearm, defendant **TAYLOR DAWN MARLOW** would transfer the firearm to defendant **DANIEL KION GARRISON**.

6. Defendant **DANIEL KION GARRISON** arranged the sale of the purchased firearm to Defendant **ROBERT ALAN BLAUCH**.

7. Defendant **ROBERT ALAN BLAUCH** later arranged the sale and transfer of the purchased firearm to **MARCUS DELON WHATLEY**.

OVERT ACTS

8. In furtherance of the conspiracy and to effect the objects of the conspiracy the following overt acts, among others, were committed in the Northern District of West Virginia and elsewhere:

- a. On or about May 25, 2021, in the Northern District of West Virginia, defendant **MARCUS DELON WHATLEY**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is the felony offense of Possession of Firearm Minor ^W in the District Court of Maryland for Montgomery County in Case Number 1D00403082 ²⁰¹ on December 17, 2019, did knowingly possess a firearm, that is a Sturm, Ruger & Company, Inc., semi-automatic model LCP pistol, .380 automatic colt pistol (ACP) caliber, bearing serial number 376-98485, said firearm having been shipped and transported

in interstate commerce;

- b. On or about May 27, 2021, in Berkeley County, in the Northern District of West Virginia, defendants **DANIEL KION GARRISON** and **TAYLOR DAWN MARLOW**, in connection with the acquisition of a firearm, a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code (referred to as a FFL), knowingly made false and fictitious written statements to a FFL, which statements were intended and likely to deceive a FFL, as to a fact material to the lawfulness of such sale of the said firearm to defendant **TAYLOR DAWN MARLOW** under chapter 44 of Title 18, in that the defendant represented that she was the actual purchaser of the firearm, when in fact, she was not the true purchaser of the firearm;
- c. On or about June 23, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **DANIEL KION GARRISON** knowingly sold a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, knowing and having reasonable cause to believe that Robert Alan Blauch had been convicted of a crime punishable by imprisonment for a term exceeding one year;
- d. On or about June 23, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **ROBERT ALAN BLAUCH**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is the felony offense of Unlawful Removal of MV in the District Court of Maryland for Montgomery County in case number 0D00396354 on July 25, 2019, did knowingly possess a firearm, that is a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, said firearm having been shipped and transported in interstate commerce; and

e. other overt acts.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

(Unlawful Possession of Firearm)

On or about May 25, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **MARCUS DELON WHATLEY**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is the felony offense of Possession of Firearm Minor in the District Court of Maryland for Montgomery County in Case Number 1D00403082 on December 17, 2019, did knowingly possess a firearm, that is a Sturm, Ruger & Company, Inc., semi-automatic model LCP pistol, .380 automatic colt pistol (ACP) caliber, bearing serial number 376-98485, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE

(Aiding and Abetting False Statement During Purchase of Firearm)

On or about May 27, 2021, in Berkeley County, in the Northern District of West Virginia, defendants **DANIEL KION GARRISON** and **TAYLOR DAWN MARLOW**, in connection with the acquisition of a firearm, a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code (referred to as a FFL), knowingly made false and fictitious written statements to a FFL, which statements were intended and likely to deceive a FFL, as to a fact material to the lawfulness of such sale of the said firearm to defendant **TAYLOR DAWN MARLOW** under chapter 44 of Title 18, in that the defendant represented that she was the actual purchaser of the firearm, when in fact, she was not the true purchaser of the firearm; in violation of Title 18, United States Code, Sections 2, 922(a)(6), and 924(a)(2).

COUNT FOUR

(Sale to a Prohibited Person)

On or about June 23, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **DANIEL KION GARRISON** knowingly sold a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, knowing and having reasonable cause to believe that Robert Alan Blauch had been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(d) and 924(a)(2).

COUNT FIVE

(Unlawful Possession of Firearm)

On or about June 23, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **ROBERT ALAN BLAUCH**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is the felony offense of Unlawful Removal of MV in the District Court of Maryland for Montgomery County in case number 0D00396354 on July 25, 2019, did knowingly possess a firearm, that is a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT SIX

(Unlawful Possession of Firearm)

On or about September 15, 2021, in Berkeley County, in the Northern District of West Virginia, defendant **JAMAL DASHAWN HARRIS** knowing that he was an unlawful user of a controlled substance and did knowingly possess a firearm, that is a Kel-Tec, Model PMR-30, .22 magnum, serial number WX0914, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

FORFEITURE ALLEGATION

Gun Control Act

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1), the government will seek the forfeiture of any firearm and any ammunition involved in or used in any knowing violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), including a Sturm, Ruger & Company, Inc., semi-automatic model LCP pistol, .380 automatic colt pistol (ACP) caliber, bearing serial number 376-98485; a Smith and Wesson, Model M&P 380 Shield EZ, .380 caliber pistol, bearing serial number REA8831; a Kel-Tec, Model PMR-30, .22 magnum, serial number WX0914; and a box of .22 magnum ammunition.

A True Bill,

/s/
Grand Jury Foreperson

/s/
WILLIAM IHLENFELD
United States Attorney

Lara K. Omps-Botteicher
Assistant United States Attorney